

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CR NO. 05-1849-JH

DANA JARVIS, et al.

Defendants.

**NOTICE OF NON-AVAILABILITY**

**COMES NOW**, counsel for Defendant Geno Berthod, Martin Lopez, III, P. C. (Martin Lopez, III) and states that he will be unavailable for hearings in this matter from May 2, 2008 through May 7, 2008.

Respectfully submitted,

**MARTIN LOPEZ, III**  
A Professional Corporation

Electronically filed April 15, 2008  
Martin Lopez, III  
Attorney for Defendant Berthod  
1500 Mountain Rd. NW  
Albuquerque, New Mexico 87104  
Tele: (505) 243-2900

**I HEREBY CERTIFY** that a copy of the foregoing was forwarded via CM/ECF electronic notice to Assistant U. S. Attorney James Braun on this 15th day of April, 2008.

Electronically filed April 15, 2008  
Martin Lopez, III